

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 9:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

F028214 Soley v. Arnold

Cause called and argued by Charles R. Wilson, Esq., counsel for appellant Judy Arnold and by James B. Betts, Esq., counsel for appellant Judith Soley.

Cause ordered submitted.

At this point Buckley, J. leaves the bench and is replaced by Harris, J.

F027812 People v. Flowers

Cause called and argued by Handy Horiye, Esq., counsel for appellant. Leah Ann Alcazar, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Harris, J. leaves the bench.

F031142 Gerawan Farming Inc. v. California Department of Food and Agriculture

Parties stipulate that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Brian C. Leighton, Esq., counsel for appellant and by Tracy L. Winsor, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

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The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

F029825 People v. Robinson

Parties stipulate that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Charles Bonneau, Esq., counsel for appellant and by Eric R. Brunkal, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, May 10, 1999 at 10:00 A.M.

F029771 People v. Daniels

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F030643 People v. Peppers

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031845 In re Chandra H., a Minor

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal of Hope H. in the above-entitled action is dismissed.

F032746 In re Joseph M., et al, Minors

No brief having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F031679 In re Derek H., et al.

The appeal as to Derek is dismissed as moot. The dispositional order removing Krissy from Raquel's custody is reversed, and the matter is remanded for further proceedings. Buckley, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F026588 Guzman v. Visalia Community Bank

The order denying appellant's motion to enforce respondent's section 998 offer to compromise is reversed. The trial court is directed to vacated the judgment granting summary judgment and to enter a new judgment for appellant in the amount of \$60,000.

The parties shall bear their own costs on appeal. Levy, J.

We concur: Stone (W.A.), Acting P.J.; Vartabedian, J.

[CERTIFIED FOR PUBLICATION]

F029991 People v. Crewa-Fluker

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031381 People v. Whitaker

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F032589 People v. Volden

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F033020 City of Coalinga v. Costanzo et al.

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.